

Please add the following new claim:

- AD SUB E47
- 30. A bipolar plate for electrochemical cells, consisting essentially of:
a porous, electrically conducting sheet selected from the group consisting of expanded metal mesh, metal foam, conducting polymer foam, porous conductive carbon material and combinations thereof; and
a gas impermeable material disposed within a minor portion of the sheet to form a gas barrier.

REMARKS

The Examiner has required restriction between claims 1-26 drawn to a separator and claims 27-29 drawn to a bipolar plate. Via telephone, applicant elected claims 1-26 with traverse. Applicant hereby affirms this election. Applicant submits, and upon reading the present office action examiner apparently agrees, that the inventions in claims 1-26 and 27-29 are drawn to bipolar plates and the restriction for examination purposes is therefore improper. In light of the present amendment, Applicant requests that the restriction requirement be withdrawn. If the examiner continues the restriction requirement Applicant remains with its election of claims 1-26 for examination and will cancel claims 27-29.

Claims 1-26 stand rejected under 35 USC §112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. This rejection is traversed, but is obviated by the present amendment to claims 1-26. Reconsideration and withdrawal of the rejection is respectfully requested.

Claims 7, 8, 14 and 15 stand rejected under 35 U.S.C. 102(b) as being anticipated by *Rao et al.* This rejection is traversed.

Amended claim 7 from which claims 8, 14 and 15 depend, is distinguished from the disclosure of Rao by the recitation of:

NT Take { "...a gas impermeable material disposed within only a portion of the sheet to form a gas barrier."

Rao neither suggests nor provides for a gas impermeable material disposed within a portion of the sheet to form a gas barrier. Rao discloses a series of metal layers between

two active paste layers. The barrier disclosed by Rao requires a conductive material such as lead or a lead alloy, and the porous matrix is either conductive or insulating, this structure does not suggest the inverse, which is the formation of a gas barrier disposed within only a portion of an electronically conducting sheet. Reconsideration and withdrawal of the rejection of claims 7, 8, 14, and 15 is respectfully requested.

Claim 20 stands rejected under 35 U.S.C. 102(a) as being anticipated by *Schleicher et al.* This rejection is traversed.

Amended claim 20 is distinguished from the disclosure of Schleicher by the recitation of :

“...an electrically conducting gas barrier disposed in electrical contact between the sheets, wherein the electrically conducting gas barrier is disposed between opposing faces of each sheet.”

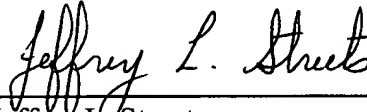
Schleicher neither suggests nor provides for an electronically conducting gas barrier disposed in electrical contact between two electronically conducting sheets. Schleicher discloses a separator comprising an inner metal mesh and an outer metal mesh for containing particles within an exploding gas generator for filling an air bag with gas. The separator of Schleicher promotes gas flow and therefore does not suggest two porous, electrically conducting sheets and an electrically conducting *gas barrier* in electrical contact between the sheets. Reconsideration and withdrawal of the rejection of claim 20 is respectfully requested.

Applicant believes that new claim 30 is patentable over the references cited by the examiner and requests consideration of the same.

CONCLUSION

Applicant requests reconsideration of the claims in light of the above remarks and amendments. Applicant authorizes the Examiner to charge any additional fees that may be due to the deposit account 16-0623/LYNN/0020/JLS

Respectfully submitted,



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